

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF ALABAMA**

GLENN BANKS,	)	
	)	
Plaintiff,	)	Civil Action No.:
	)	
v.	)	
	)	
CREDIT ONE BANK, N.A.,	)	
	)	
Defendant.	)	

**PLAINTIFF'S COMPLAINT**

Plaintiff, GLENN BANKS ("Plaintiff"), through Plaintiff's attorney, Hair Shunnarah Trial Attorneys, LLC, alleges the following against Defendant, CREDIT ONE BANK, N.A. ("Defendant"):

**INTRODUCTION**

1. Plaintiff's Complaint is based on the Telephone Consumer Protection Act ("TCPA"), 47 U.S.C. § 227.

**JURISDICTION AND VENUE**

2. This Court has jurisdiction under 28 U.S.C. §§1331, 1337, 1367, and 47 U.S.C. § 227.

3. Venue and personal jurisdiction in this District are proper because Defendant does or transacts business within this District, and a material portion of the events at issue occurred in this District.

**PARTIES**

4. Plaintiff is an individual residing in Birmingham, and is a person as defined by 47 U.S.C. § 153.

5. Defendant is a National Association domiciled in Las Vegas, Nevada, doing business in Alabama, and is a person as defined by 47 U.S.C. § 153.

### **FACTUAL ALLEGATIONS**

6. In or around March of 2020, Defendant began calling Plaintiff on Plaintiff's cellular telephone.

7. Plaintiff never provided consent, express or otherwise, to receive calls from Defendant.

8. Shortly thereafter, Plaintiff answered a call from Defendant and told Defendant to stop calling.

9. In the above-referenced call, Plaintiff revoked any consent that Defendant may have believed it had to call Plaintiff.

10. Despite Plaintiff's demand that the calls stop, Defendant continued to call Plaintiff multiple times per day.

11. Upon answering calls from Defendant, Plaintiff was met with a period of silence before someone came on the line.

12. Based on the nature and frequency of the calls, upon information and belief, these calls were placed via an Automatic Telephone Dialing System ("ATDS").

13. Defendant's calls were not placed for emergency purposes.

14. Defendant knowingly and intentionally called Plaintiff via an ATDS without Plaintiff's consent.

### **VIOLATIONS OF THE TCPA**

15. The preceding paragraphs are incorporated as if fully stated herein.

16. Defendant is liable under 47 U.S.C. § 227(b)(1) for placing ATDS calls to Plaintiff's cellular phone without consent.

17. These calls were made knowingly and willfully.

### **DEMAND FOR JURY TRIAL**

18. Plaintiff hereby demands a trial by jury.

### **PRAYER FOR RELIEF**

Plaintiff respectfully requests that judgment be entered in Plaintiff's favor and against Defendant, including the following relief:

1. An injunction requiring Defendant to cease all calls to Plaintiff.
2. Statutory damages of \$1,500 per call for Defendant's willful violations of the TCPA.
3. Statutory damages of \$500 per call for Defendant's negligent violations of the TCPA.
4. All costs and attorney's fees incurred by Plaintiff.
5. Any other relief that this Court deems appropriate.

DATED: January 22, 2021

RESPECTFULLY SUBMITTED,

/s/ \_\_\_\_\_

Hair Shunnarah Trial Attorneys, LLC

Respectfully Submitted,

/s/ Andrew Calhoun  
**Andrew Calhoun**  
**(CAL085)**

**OF COUNSEL:**

Hair Shunnarah Trial Attorneys, LLC.  
3540 S I-10 Service Rd. W, Suite 300  
Metairie, LA 70001  
(205) 203-4176 Direct Office  
(205) 203-4376 Direct fax  
Acalhoun@asilpc.com